

DPL 3624

## TRANSMITTAL FORM

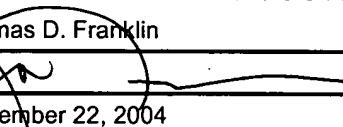
(to be used for all correspondence after initial filing)

		Application Number	10/021,292 ✓
		Filing Date	October 29, 2001
		First Named Inventor	Milberger, Susan M.
		Art Unit	3624
		Examiner Name	Colbert Ella
Total Number of Pages in This Submission	10	Attorney Docket Number	020375-000240US

### ENCLOSURES (Check all that apply)

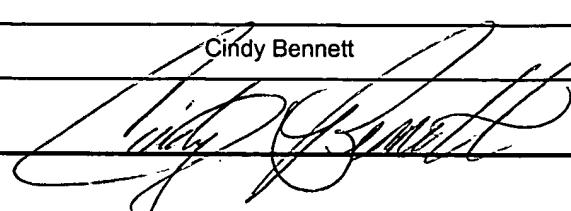
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Postcard  Cited References: (7-Foreign Documents)  Copy of Transmittal Form and Supplemental Information Disclosure Statement dated March 22, 2002  Copy of Return Postcard stamped received on March 26, 2002 by OIPE
	<input type="checkbox"/> Remarks _____	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

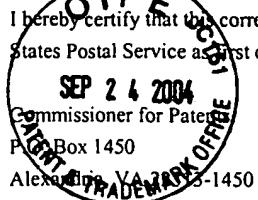
### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP	Reg. No. 43,616
Signature		
Date	September 22, 2004	

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Cindy Bennett		
Signature		Date	September 22, 2004



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**PATENT**  
Attorney Docket No.: 020375-000240US

On September 22, 2004

TOWNSEND and TOWNSEND and CREW LLP

By:

Cindy Bennett

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Milberger et al.

Application No.: 10/021,292

Filed: October 29, 2001

For: SUBSCRIPTION-BASED PAYMENT

Confirmation No. 9347

Examiner: Colbert, Ella

Art Unit: 3624

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER  
37 CFR §1.97 and §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

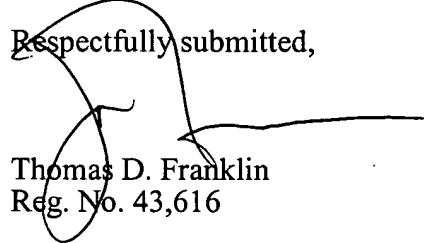
Sir:

The Office Action dated September 9, 2004 indicates the references enclosed with this Supplemental Information Disclosure Statement are missing from the Applicant's file and have been requested by the Examiner that the Applicant resubmit these references for consideration in order to give the application a proper examination. The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant's believe no fee is due as this Information Disclosure Statement was previously submitted on March 22, 2002 and stamped as being received by the OIPE on March 26, 2002, both of which copies are enclosed herewith. The Transmittal Form and the return postcard confirms the references were previously provided, but must have been lost the Office. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account No. 20-1430.

Respectfully submitted,  
  
Thomas D. Franklin  
Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 303-571-4321  
TDF:cmb

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SEP. 24 2004  
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	020375-000240US
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**U.S. PATENT DOCUMENTS+**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
AA	US-				
AB	US-				
AC	US-				
AD	US-				
AE	US-				
AF	US-				
AG	US-				
AH	US-				
AI	US-				
AJ	US-				
AK	US-				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
AL	EP	0 949 596					<input type="checkbox"/>
AM	EP	1 077 436					<input type="checkbox"/>
AN	PCT	WO 00/22559					<input type="checkbox"/>
AO	PCT	WO 00/54122					<input type="checkbox"/>
AP	PCT	WO 00/67177					<input type="checkbox"/>
AQ	PCT	WO 00/79452					<input type="checkbox"/>
AR	PCT	WO 01/04816					<input type="checkbox"/>
AS							<input type="checkbox"/>

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AT		
	AU		
	AV		
	AW		

Examiner Signature		Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>Applicant is to place a check mark here if English language Translation is attached.



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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/021,292
		Filing Date	October 29, 2001
		First Named Inventor	Milberger, et al.
		Group Art Unit	2167
		Examiner Name	
Total Number of Pages in This Submission	5	Attorney Docket Number	020375-000240US

**COPY**

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Cited References: (12-US Patents; 7-Foreign; 1-Other Documents)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	<i>6 - co-pending applications</i>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Thomas D. Franklin	
Signature		
Date	March 22, 2002	

### CERTIFICATE OF MAILING

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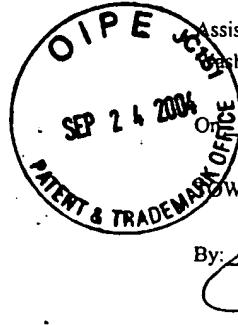
March 22, 2002

Typed or printed name	Cindy Bennett		
Signature			
	Date	March 22, 2002	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
DE 7065907 v1

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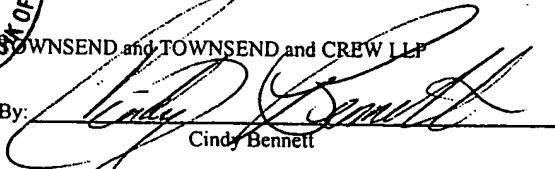
PATENT  
Attorney Docket No.: 020375-000240US



Assistant Commissioner for Patents  
Washington, D.C. 20231

March 22, 2002

By:

  
Cindy Bennett

**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Susan M. Milberger, et al.

Application No.: 10/021,292

Filed: October 29, 2001

For: **SUBSCRIPTION-BASED  
PAYMENT**

Examiner:

Art Unit: 2167

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicants also wish to make the Examiner aware of the following co-pending application:

1. Application No. 09/476,384 filed December 30, 1999, Attorney Docket No. 020375-000700US.

2. Application No. 10/045,633 filed October 26, 2001, Attorney Docket No. 020375-000210US.

3. Application No. 10/046,654 filed October 26, 2001, Attorney Docket No. 020375-000220US.

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4. Application No. 10/045,632 filed October 26, 2001, Attorney Docket No. 020375-000230US.

5. Application No. 10/010,068 filed December 6, 2001, Attorney Docket No. 020375-000610US.

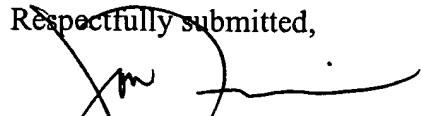
6. Application No. 10/076,036, filed February 13, 2002, Attorney Docket No. 020375-002100US.

To comply with 37 CFR §1.98(a)(2)(iii), enclosed is the specification, claims and drawings for the above case.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Thomas D. Franklin  
Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 303-571-4321  
TDF:cmb

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PTO/SB/08B (08-00)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
SEP 24 2004

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PATENT & TRADEMARK OFFICE

1 of 2

**Complete if Known**

Application Number	10/021,292
Filing Date	October 29, 2001
First Named Inventor	Milberger, Susan M.
Group Art Unit	2167
Examiner Name	

Attorney Docket Number 020375-000240US

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AA	5,220,501		Lawlor, et al.	06-15-1993	
	AB	5,555,496		Tackbary, et al.	09-10-1996	
	AC	5,699,528		Hogan	12-16-1997	
	AD	5,757,917		Rose, et al.	05-26-1998	
	AE	5,826,241		Stein, et al.	10-20-1998	
	AF	5,960,412		Tackbary, et al.	09-28-1999	
	AG	6,029,150		Kravitz	02-22-2000	
	AH	6,032,133		Hilt, et al.	02-29-2000	
	AI	6,070,798		Nethery	06-06-2000	
	AJ	6,098,053		Slater	08-01-2000	
	AK	6,119,106		Mersky, et al.	09-12-2000	
	AL	6,246,996	B1	Stein, et al.	06-12-2001	
	AM					
	AN					
	AO					
	AP					
	AQ					
	AR					
	AS					
	AT					

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**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AU	EP	0 949 596	A2	Citibank, N.A.	10-13-1999		
	AV	EP	1 077 436	A2	Citicorp Development Center, Inc.	02-21-2001		
	AW	PCT	WO 00/22559	A1	Citibank, N.A.	04-20-2000		
	AX	PCT	WO 00/54122	A2	Ancestry.com, Inc.	09-14-2000		
	AY	PCT	WO 00/67177	A2	X.com Corp.	11-09-2000		
	AZ	PCT	WO 00/79452	A2	Echarge Corp.	12-28-2000		
	BA	PCT	WO 01/04816	A1	Citicorp Credit Services, Inc.	01-18-2001		

Examiner Signature	Date Considered
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<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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DE 7065903 v1

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Substitute for form 1449B/PTO <b>O I P E</b> <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <b>SEP 24 2004</b> <b>(use as many sheets as necessary)</b>		<b>Complete if Known</b>	
		Application Number	10/021,292
		Filing Date	October 29, 2001
		First Named Inventor	Milberger, Susan M.
		Group Art Unit	2167
		Examiner Name	
SHEEDED 2		Attorney Docket Number	020375-000240US
of 2			

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS		
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
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Examiner Signature		Date Considered	
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<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Initials: TDF/cmb

Date: March 22, 2002

PTO Stamp indicates receipt of:  Patent Matter

Application Docket No.: 020375-000240US

Applicant: Milberger, et al

Title or Mark: Subscription-Based Payment

Serial/Reg. No.: 10/021,292

Filed/Issued Date: October 29, 2001

Certificate of Mailing

**LIST ALL DOCUMENTS BEING SENT TO PATENT OFFICE:**

1. Transmittal Form (1 page);
2. Supplemental Information Disclosure Statement (2 pages);
3. PTO Form 1449 (2 pages); and
4. Cited References (12-US Patents; 7-Foreign; 1-Other Documents; 6-Co-Pending Applications)

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Initials: TDF/cmb

Date: March 22, 2002

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Application Docket No.: 020375-000240US

REC'D

Applicant: Milberger, et al

Title or Mark: Subscription-Based Payment

Serial/Reg. No.: 10/021,292

Filed/Issued Date: October 29, 2001

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2. Supplemental Information Disclosure Statement (2 pages);
3. PTO Form 1449 (2 pages); and
4. Cited References (12-US Patents; 7-Foreign; 1-Other Documents; 6-Co-Pending Applications)